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6 (*Additional counsel information omitted*)

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9 **SANTA ANA DIVISION**

10 ENTROPIC COMMUNICATIONS, LLC,

11 Plaintiff,

12 v.

13 COMCAST CORPORATION;
14 COMCAST CABLE
15 COMMUNICATIONS, LLC; AND
16 COMCAST CABLE
17 COMMUNICATIONS MANAGEMENT,
LLC,

18 Defendants.

No. 2:23-cv-1049-JWH-KES (Lead
Case)

No. 2:23-cv-1050-JWH-KES
(Related Case)

No. 2:23-cv-1043-JWH-KES (Lead
Case)

No. 2:23-cv-1048-JWH-KES
(Related Case)

Assigned to Hon. John W. Holcomb

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28 DECLARATION OF KRISHNAN
PADMANABHAN IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFF'S MOTION FOR
RECONSIDERATION

1 I, Krishnan Padmanabhan, hereby declare as follows:

2 1. I am an attorney at law duly licensed to practice in the State of California.
3 I am an attorney with Winston & Strawn LLP and counsel for defendants Comcast
4 Corporation, Comcast Cable Communications, LLC, and Comcast Cable
5 Communications Management, LLC (collectively “Defendants” or “Comcast”). I have
6 knowledge of the following and, if called as a witness, could and would testify
7 competently to the contents of this declaration.

8 2. I submit this Declaration in support of Defendants’ Opposition to
9 Plaintiff’s Motion for Reconsideration.

10 3. On November 29, 2023, I received an email from counsel for Entropic
11 regarding its intent to file a motion for reconsideration. Attached as **Exhibit A** is a true
12 and correct copy of this email. The email stated: "Entropic intends to file a motion for
13 reconsideration related to the Court’s Order on Comcast’s motion to dismiss dated
14 November 20, 2023 in both the 1048 and 1050. We are seeking reconsideration on the
15 following grounds: We made arguments, cite cases, and submitted supplemental
16 briefing on the subject matter jurisdiction issue that do not appear to have been
17 considered or addressed in the orders. We think it is in both parties’ interest to have the
18 court weigh in on those issues for purposes of a full record, in the event of any appeal.
19 Pursuant to Local Rule 7-18, we plan to file the motion on Monday [December 4, 2023].
20 Please let us know when you are available for a meet and confer before the end of the
21 week." Ex. A.

22 4. On November 30, 2023 I responded to counsel for Entropic via email.
23 Attached as **Exhibit B** is a true and correct copy of this email. My email stated: "We
24 are available to meet and confer on Friday [December 1, 2023] early afternoon (1:30
25 PST). Entropic’s meet and confer does not comply with L.R. 7-3 ('The conference must
26 take place at least 7 days prior to the filing of the motion.') Comcast reserves all rights,
27 including to oppose Entropic’s motion based on the failure to comply with L.R. 7-3.
28 Entropic’s proposed motion for reconsideration also does not comply with L.R. 7-18,

1 which states that '[n]o motion for reconsideration may in any manner repeat any oral or
2 written argument made in support of, or in opposition to, the original motion.' Entropic
3 proposes a motion based on the supplemental briefing it has already provided, and the
4 oral arguments that Entropic presented on August 9th. In addition, Entropic's proposed
5 motion does not fall under L.R. 7-18(a), 7-18(b), or 7-18(c), and therefore does not
6 present any basis for reconsideration under the Local Rules." Ex. B.

7 5. The parties subsequently met and conferred virtually on December 1, 2023
8 to discuss Entropic's intent to file a motion for reconsideration. The individuals present
9 at the meet and confer on behalf of Entropic were Mr. Peter Soskin and Ms. Cassidy
10 Young.

11 6. At the meet and confer, I informed counsel for Entropic again that
12 Entropic's motion for reconsideration would be in violation of Local Rule 7-18's
13 prohibition on "repeat[ing]" already presented arguments, and that Entropic's motion
14 did not fall under Local Rule 7-18(a), 7-18(b), or 7-18(c). Entropic's counsel insisted
15 that it would file the Motion for Reconsideration regardless.

16

17 I declare under penalty of perjury under the laws of the United States of America
18 that the foregoing is true and correct.

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20 Executed on this 15th day of December, 2023 in New York, NY.

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22 Dated: December 15, 2023

WINSTON & STRAWN LLP

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By: /s/ Krishnan Padmanabhan
Krishnan Padmanabhan

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